

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

SINGULARDTV, GmbH,

Plaintiff,

v.

JOHN DOE,

Defendant.

Civil Action No.: 1:21-cv-06000-VEC

**AFFIDAVIT OF DANIEL GHAZI IN SUPPORT OF PLAINTIFF'S COMPLAINT AND
MOTION FOR LEAVE TO SERVE A THIRD-PARTY SUBPOENA PRIOR TO A
RULE 26(f) CONFERENCE**

DANIEL GHAZI, being duly sworn and deposed, states under threat of perjury:

1. I am the President of DAG Tech, LLC, a Maryland limited liability company (“DAG Tech”).
2. DAG Tech provides technology services and IT support to business in multiple cities throughout the United States.
3. DAG Tech has been providing IT support and services for SingularDTV GMBH and its affiliates (“SingularDTV”), including managing their email systems and computer networks, for approximately 2 years. DAG Tech was also asked to support SingularDTV’s remediation efforts as more fully described in this affidavit.
4. On or around May 6, 2021, Carl Volz (“Volz”), then General Counsel for SingularDTV, notified DAG Tech that his email may have been compromised. DAG Tech

investigated the alleged intrusion and discovered that on or around March 6, 2021, a Microsoft Outlook rule had been created in Volz Outlook settings that redirected all emails coming from arielevycohen@gmail.com to an ‘RSS’ folder.

5. The rule directed any emails coming from the arielevycohen@gmail.com email address to bypass Volz’s regular email inbox and automatically be placed in the RSS folder without any notification. As a result, Volz would most likely never see emails from arielevycohen@gmail.com.

6. At or around the same time, Volz began receiving emails from another email address purporting to belong to Mr. Arie Levy-Cohen, one of the owners of SingularDTV: arielevycohen@gmail.com.

7. DAG Tech has no way of identifying the owner of the arielevycohen@gmail.com email account, which appears to have been set up for the purpose of impersonating the arielevycohen@gmail.com email account, which, on information and belief, is owned by Arie Levy-Cohen.

8. Based on the information available, it appears that new rule was added for the purpose of hiding communications from Arie Levy-Cohen so that Mr. Volz would not receive emails from both address, which would have likely revealed the fraud.

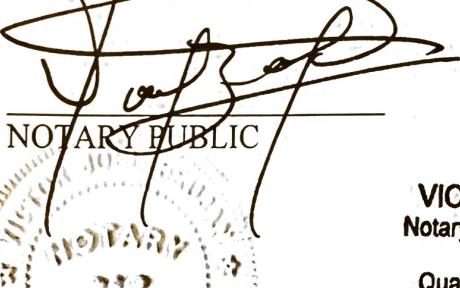
9. As part of DAG Tech’s analysis of the incident, DAG Tech ran industry standard software to identify any obvious virus or malware infections. The software we ran did not identify any such malicious code.

10. Using the means at our disposal, we have been unable to identify the owner of the arielevyycohen@gmail.com email address or the party who manipulated the Outlook rules in Volz's Outlook settings.

Dated: July 16, 2021
New York, New York


By: Daniel Ghazi

Sworn to me before this
16 day of July 2021


NOTARY PUBLIC


VICTOR JOEL BRUJAN
Notary Public, State of New York
No. 01BR6105950
Qualified in New York County
Commission Expires February 23, 2024